

REMARKS/ARGUMENTS

Introduction:

Claims 1-89 have been canceled, and claims 90-117 have been newly added. Claims 90-117 are now pending in the application. Applicants respectfully request reexamination and reconsideration of the application.

Restriction Dated July 25, 2006:

In the Restriction dated July 25, 2006, then pending claims 76-89 were subjected to a restriction requirement and identified as directed to a previously non-elected invention. Claims 76-89 were therefore withdrawn from consideration as directed to a non-elected invention. In response, Applicants have canceled claims 76-89, which were method claims, and have added new claims 90-117, which are directed to an electronic component or an electronics system. As such, new claims 90-117 fall within the general inventive category of Group I of the Restriction dated August 15, 2000. Moreover, the general inventive categories of new claims 90-117—an electronic component or an electronics system—correspond generally to previously pending claims 58-75, which were never withdrawn as directed to a non-elected invention. Therefore, new claims 90-117 correspond to an elected inventive category and should not be withdrawn.

Office Action Of November 30, 2005:

The Office Action of November 30, 2005 (hereinafter the "Office Action") is the most recent office action on the merits in this application. In the Office Action, then pending claims 58-75 were rejected as obvious in view of Figures 1A and 1B of the disclosure (which were referred to in the Office Action as Admitted Prior Art or "APA"), US Patent No. 5,152,695 to Grabbe et al. ("Grabbe"), and US Patent No. 6,268,015 to Mathieu et al. ("Mathieu"). Although new claims 90-117 are broader in scope than previously pending claims 58-75, claims 90-117 include recitations that are similar to recitations in claims 58-75. Applicants thus traverse the foregoing rejection as follows.

Independent claim 90 recites "a width of the beam portion decreases along the length from the base portion to the tip portion." Former claim 58 included a similar recitation, and in rejecting former claim 58 in the Office Action, the USPTO acknowledged that the APA does not disclose the foregoing recitation. To make up for this deficiency in the APA, the USPTO cited

Grabbe alleging that "[i]t would have been obvious . . . to modify the contact structure of APA to provide the tapered beam portion as taught by Grabbe et al. in order to provide a substantially constant deflection and stresses along the beam portion and to save the material."

The USPTO did not, however, cite any teaching in Grabbe in support of the foregoing, and indeed, no such teaching exists. In fact, nothing in Grabbe teaches that Grabbe's spring arms provide substantially constant deflection and stresses along the spring arms. Thus, a person of ordinary skill in the field would have no reason to think that using Grabbe's spring arms with the APA would result in "a substantially constant deflection and stresses along the beam portion" of Grabbe's spring arms.

Indeed, Grabbe actually teaches against constant deflection and stress in the spring arms. That is, Grabbe teaches that the spring arms "provide increasing stiffness as they are deflected" (Grabbe col. 4, lines 5-9), which implies not constant deflection and stresses but variable deflection and stresses in the spring arms. That is, the greater the deflection of Grabbe's spring arms, the greater the force required to further deflect the spring arms and the greater the stress in Grabbe's spring arms. Thus, Grabbe teaches not that use of his spring arms will result in substantially constant deflection and stresses in the spring arms but that use of his spring arms will result in deflection and stress characteristics that change as the spring arms are deflected.

For the foregoing reasons, the motivation proffered by the USPTO for combining Grabbe with the APA fails. The combination of Grabbe and the APA is therefore impermissible.

Moreover, the combination of Grabbe and the APA can be based on nothing other than impermissible hindsight. This is because, as discussed above, Grabbe does not describe his spring arms as providing "a substantially constant deflection and stresses along the beam portion" or saving "the material." Indeed, the only such teaching is found in Applicants' specification, which states, for example:

"The triangular shape of the beam portion 303 *tends to more evenly distribute across . . . the entire beam the stress* created when the tip 304 is pressed towards the surface on which the base 302 is resting. *This allows the use of less material* in the beam 303 while still obtaining good performance for the resilient contact element." (Specification pg. 19, lines 10-21 (emphasis added).)

It is axiomatic that the teaching or suggestion to combine references cannot come from the applicant's specification. Yet, here, Applicants' specification—not Grabbe—teaches the

suggestion proffered by the USPTO for combining Grabbe with the APA. Therefore, for this additional reason, the combination of Grabbe and the APA is impermissible.

The combination of Grabbe and the APA is an essential element of the rejection. Because the combination of Grabbe and the APA is impermissible for at least the reasons discussed above, the rejection of independent claim 90 cannot stand and should be withdrawn.

Independent claim 104 also recites "a width of the beam portion decreases along the length from the base portion to the tip portion." Independent claim 104 is therefore patentable over the combination of the APA, Grabbe, and Mathieu at least for the reasons discussed above with respect to claim 90.

Claims 91-103 and 105-117 depend from one of claim 90 or claim 104. Claims 91-103 and 105-117 are therefore patentable at least because of their dependency from claim 90 or claim 104.

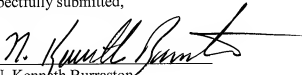
Conclusion:

In view of the foregoing, Applicants submit that all of the claims are allowable and the application is in condition for allowance. If the Examiner believes that a discussion with Applicants' attorney would be helpful, the Examiner is invited to contact the undersigned at (801) 323-5934.

Respectfully submitted,

Date: October 3, 2006

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